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Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 DHA-02 CIAE-00 DODE-00 PM-05 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02
SS-15 USIA-06 /063 W
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R 301600Z JUL 77
FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC 3060
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY MONTEVIDEO
AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO

C O N F I D E N T I A L BRASILIA 6362

EO 11652 GDS
TAGS PINT SHUM BR
SUBJECT: GEISEL FURTHER PROHIBITS POLITICAL PARTY USE OF MEDIA

REF: A . BRASILIA 5504 B. BRASILIA 5623

1. SUMMARY. PRESIDENT GEISEL JULY 26 USED HIS REVOLUNTIONARY POWERS UNDER AI-5TO PROHIBIT POLITICAL PARTIES FROM DIVULGING THE RESULTS FO THEIR ANNUAL NATIONAL AND STATE CONVENTIONS ON RADIO AND TELE-VISION. THE PROHIBITION ELIMINATES THE LAST AVAILABLE CHANNEL FOR POLITICAL PARTIES TO PRESENT THEIR PROGRAMS TO THE PUBLIC VIA ELECTRONIC MEDIA. GEISEL'S ACTION WAS DESCRIBED BY ARENA POLITICANS AS AN EFFORT "TO SAME MDB FROM THEMSELVES, BECAUSE ACCORDING TO ARENA, MDB ACCESS TO ELECTRONIC MEDIA WOULD INEVITABLY LEAD TO CONFRONTATIONAL SPEECHES AND CASSATIONS. MDB PUBLICLY DENOUNCED MEASURE, BUT INDIVIDUAL MEMBERS ARE DEMONSTRATING SOME AMBIVALENCE.
END SUMMARY.

2. USING HIS EXTRAORDINARY POWERS UNDER AI-5, PRESIDENT GEISEL JULY 26 ELIMINATED LOOSELY-WRITTEN CLAUSE IN THE "LEI FALCAO"
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WHICH HAD ALLOWED POLITICAL PARTIES ACCESS TO ONE HOUR A YEAR ON TELEVISION AND RADIO IN ORDER TO EXPLAIN THE RESULTS OF THEIR ANNUAL NATIONAL AND STATE CONVENTIONS. PRESIDENT GEISEL JUSTIFIED THE ACTION, WHICH HE CHARACTERIZED AS PROVISIONAL, AS A DEFESNE OF THE REVOLUTION.

3. GEISEL'S ACTION HAD THE IMMEDIATE EFFECT OF PREVENTING THE SAO

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PAULO MDB FROM CONTINUING WITH ITS PLANS, AUTHORIZED BY THE REGIONAL ELECTORIAL TRIBUNAL (TRE), TO DIVULGE THE RESULTS OF ITS ANNUAL MEETING DURING A ONE-HOUR BORADCAST AUGUST 15. ON JUNE 27, THE NATIONAL MDB HAD USED ITS ALLOTTED HOUR ON NATIONAL TELEVISION TO MAKE A STRONG ATTACK ON THE GOVERNMENT, WHICH RESULTED IN CASSATION OF CHAMBER OF DEPUTIES OPPO-
SITION LEADER, ALENCAR FURTADO,
AND MAY YET LEAD TO INDICTMENT OF MDB NATIONAL PRESIDENT ULYSSES GUIMARAES(REFTELS).
THE SAO PAULO MDB HAS NOW INDICATED IT WILL NOT ATTEMPT TO CONTINUE WITH THE PROGRAM, ALTHOUGH PROMINENT SAO PAULO JURIST TOLD PRESS THAT SINCE COURTS HAD APPROVED AUGUST 15 PROGRAM, GEISEL ACTION WOULD BE EX POST FACTO AND NOT AFFECT PROGRAM.

4. ARENA NATIONAL PRESIDENT FRANCELINO PEREIRA PRAISED GEISEL'S LATEST ACTION, STATING THAT THE MDB HAD DISTORTED THE PURPOSE OF THE LAW AND USED ITS JUNE 27 TV TIME TO CHALLENGE THE REGIME INSTEAD OF PRESENTING THE MDB PROGRAM.
HE ACCUSED THE MDB OF WANTING TO OVERTHROW THE GOVERNMENT THROUGH ITS ACCESS TO ELECTRONIC MEDIA. CHAMBER OF DEPUTIES PRESIDENT MACIEL CALLED ACT "REVOLUNTIONARILY INSPIRED" AND OTHER ARENA LEADERS CLAIMED THAT THE MEASURE WAS DESIGNED TO SAVE THE MDB FROM ITSELF. THEY ALLEGED THAT FURTHER MDB ACCESS TO TELEVISION AND RADIO WOULD ONLY RESULT IN MORE CONFRONTATIONAL SPEECHES AND POSSIBILY MORE CASSATIONS.

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5. ACTING CHAMBER MINORITY LEADER FREITAS NOBRE ATTACKED THE PROHIBITION, STATING THAT "THE PEOPLE HAVE ALREADY REVEALED THEIR INTEREST" IN SEEING THEPARTIES ON NATIONAL TELEVISION. MDB SENATE VICE LEADER ITAMAR FRANCO SAID THAT GEISEL'S DECISION "BREAKS THE BASIC PRINCIPLES OF DEMOCRACY." REACTION IN THE SAO PAULO MDB WAS MIXED. SAO PAULO MDB PRESIDENT, STATE DEPUTY (AND MODERATE) NATAL GALE, WAS RELIEVED. AS PRESIDENT OF THE PARTY IN SAO PAULO, HE WAS LEGALLY RESPONSIBLE FOR ALL MDB STATEMENTS, AND THE OTHER TWO SPEAKERS WERE MORE RADICAL. THEY WERE ROBSON MARINHO, MAJORITY LEADER IN THE ASSEMBLY, AND STATE DEPUTY ALBERTO GOLDMAN, WIDELY REPUTED TO BE A COMMUNIST LEADER IN SAO PAULO. AFTER THE GOVERNMENT'S PROHIBITION ALL MDB MEMBERS JOINED IN LAMBASTING THE GOVERNMENT FOR SUSPENDING LAW BECAUSE THE MDB MADE EFFECTIVE USE OF IT.

6. COMMENT. GEISEL'S ACTION PROBABLY HAS NULLIFIED ANY SHORT-
TERM AND SERIOUS EFFORT BY PARTY REPRESENTATIVES TO INITIATE DIALOG BETWEEN THE MDB AND ARENA. DESPITE ARENA CONTENTIONS THAT THE MEASURE WAS DESIGNED TO PROTECT THE MDB FROM WHAT SOME EDITORIAL-
ISTS CALLD THE "POLITICAL IMMATURITY" OF ITS LEADERSHIP, THE PRESIDENT'S DECISION WAS MORE LIKELY MOTIVATED BY HARDLINE PRESSURE TO TAKE MEASURES AGAINST OPPOSITION POLITICIANS WHO TRANSGRESSED

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THE NARROWLY DEFINED LIMITS OF POLITICAL DEBATE. BY DENYING THE MDB ACCESS TO TELEVISION AND RADIO, GEISEL MAY HAVE CHOSEN WHAT HE CONSIDERED THE LESSER OF TWO EVISL, SPARING HIMSELF (AND THE GOB'S EXTERNAL IMAGE) THE POTENTIAL EMBARRASSMENT OF CASSATING ANOTHER OPPOSITION LEADER WHO MADE A CONTESTATORY SPEECH. ACT WILL ALSO AFFECT ARENA, BUT AREENA LEADERSHIP WAS NOT ANXIOUS TO ENTER INTO MEDIA DEBATE WITH MDB, WHICH SEPARATE PARTY TELEVISED PROGRAMS WOULD INEVITABLY HAVE BECOME. END COMMENT.

7. PRECEDING MESSAGE INCLUDES CONTRIBUTIONS FROM CONGEN SAO PAULO.RUSER

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